

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Riaz Esmailzadeh	§	Group Art Unit:	2684
Serial No:	09/525,901	§	Examiner:	Nguyen, Thuan T.
Filed:	03/15/2000	§		
		§		
		§		
		§		

For: Wireless Telecommunications System, Base Station Thereof and
Telecommunications Method

Via Facsimile - 703-305-8755

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO on the date indicated below.

Date: January 13, 2004


Jacqueline Wilson

Dear Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)**

It is respectfully requested that the above-captioned application be revived and the reply to the Notice of Allowance and Fee(s) Due dated July 15, 2003 be considered. The application was abandoned by the USPTO for Applicant's alleged failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance. The Applicant contends that the fee was timely filed.

The facts relating to the abandonment of this application are as follows:

1. A Notice of Allowance was mailed by the USPTO on July 15, 2003. The required fee was due on October 15, 2003.

2. The Applicant submitted Part B - Fee(s) Transmittal to the USPTO by facsimile transmission on September 11, 2003. The submittal included a Certificate of Facsimile Transmission in accordance with 37 CFR § 1.8(a). A copy of the Fee(s) Transmittal is enclosed herewith.

3. The Applicant received an Auto-Reply Facsimile Transmission on September 11, 2003 indicating the Fee(s) Transmittal had been received by the USPTO. A copy of the Auto-Reply Facsimile Transmission is also enclosed herewith.

The Applicant respectfully submits that this petition has been timely filed, and the evidence presented herewith is sufficient for the petition to be granted and for the holding of abandonment to be withdrawn.

Respectfully submitted,



Roger S. Burleigh
Registration No. 40,542

Date: January 13, 2004

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